IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6846 OF 2005

Shri Mahesh N. Kothari & Ors. ..Petitioners

Vs.

The Life Insurance Corporation
of India and anr. ..Respondents

Mr. D.J. Halvai h/f Mr. M.M. Vashi for petitioners.
Mr. V.Y. Sangalikar for respondent no.1.

CORAM: B.H. MARLAPALLE & NARESH H. PATIL,JJ.

Date : October 05, 2006.

P.C.:

. Against the impugned order passed by the learned Principal Judge of the City Civil Court, Bombay confirming the decree of eviction, a Civil Revision Application under Section 115 of C.P.C. would lie and when such a statutory remedy is available, we do not see any reason to entertain a writ petition and hence the petitioner is relegated to the remedy of Civil Revision Application.

. Petition is, therefore, disposed off with

liberty to the petitioners to file a Civil Revision Application.

. In case an issue of limitation arises in the Civil Revision Application, the period of pendency of this petition i.e. from 7/10/2005 till today shall be taken into consideration.

. We also make it clear that pursuant to the order passed by this court on 21/8/2006, if the petitioners submit a representation within two weeks from today to the respondent-Corporation, the same shall be considered in accordance with the provisions of law.

. The parties to maintain the status quo as of now for a period of two weeks from today.

. C.C. expedited.

(Naresh H. Patil, J.) **(B.H. Marlapalle,J.)**